

REMARKS

This Reply and Amendment is intended to be completely responsive to the Office Action dated September 3, 2004. Claims 1-4, 6-37 and 39-63 are pending. Claims 1-4, 6-37 and 39-63 stand rejected. Independent Claims 1, 18, 34 and 51 have been amended.

Allowable Subject Matter

In the Office Action, the Examiner stated that Claims 1-4, 6-37 and 39-63 would be allowable if rewritten or amended to overcome the rejections under 35 U.S.C. § 112 ¶ 2.

The Applicants thank the Examiner for the indication of allowable subject matter and have amended independent Claims 1, 18, 34 and 51 for clarity to address the rejections under 35 U.S.C. § 112 ¶ 2. The Applicants respectfully request reconsideration and allowance of Claims 1-4, 6-37 and 39-63.

Interview Summary

The Applicants thank the Examiner for the telephonic interview conducted on November 4, 2004. The participants in the telephonic interview were Primary Examiner Jose V. Chen, and attorneys Walter E. Zimmerman and John M. Lazarus for the Applicants.

During the interview the Applicants discussed amendments to improve the clarity of the claims presently under examination and overcome the pending rejections under 35 U.S.C. § 112 ¶ 2.

Agreement was reached that the Applicants would make certain amendments to the independent claims to overcome the pending rejections under 35 U.S.C. § 112 ¶ 2, and for clarity.

The Applicants have made amendments to the independent claims that are intended to reflect what had been discussed with the Examiner during the telephonic interview. The amendments are not believed to narrow the claim scope, but rather to add clarity.

Rejections under 35 U.S.C. § 112 ¶ 2

In the Office Action, the Examiner rejected Claims 1-4, 6-37, 39-63 under 35 U.S.C. § 112 ¶ 2 for failing to particularly point out and distinctly claim the subject matter. The Examiner stated "it is unclear if applicant intended to claim a combination including a work surface and floor" and that "Claims 1, 18, 34, 51 fail to recite sufficient structural elements and interconnection of the elements to positively position and define the sufficient distance, slot, gap, passage and clearance."

The Applicants have amended independent Claims 1, 18, 34 and 51 for clarity as discussed during the telephonic interview on November 4, 2004.

The Applicants believe that the independent claims (as amended) are in condition for allowance and respectfully request reconsideration and allowance of pending Claims 1-4, 6-37 and 39-63.

* * *

The Applicants believe that each and every outstanding rejection to the pending claims has been overcome, and the Application is in condition for allowance. Independent Claims 1, 18, 34 and 51 have been amended for clarity. The Applicants respectfully request reconsideration and allowance of Claims 1-4, 6-37 and 39-63.

The Examiner is invited to contact the undersigned by telephone if the Examiner believes that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447.

If any extensions of time are needed for timely acceptance of papers submitted herewith, the Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorize payment of any such extensions fees to Deposit Account No. 06-1447.

Respectfully submitted,

Date NOVEMBER 10, 2004

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